

the papers forwarded to the Department for action the fact that the lands involved are within an irrigation project (giving the name) and accordingly are subject to the provisions of this law. This requirement will be in addition to the existing regulations requiring the superintendents in case of sales of irrigable lands to obtain from the project engineer a written statement relative to the irrigability of the lands to be sold, and whether or not there are any unpaid irrigation charges, together with the estimated per acre construction cost assessable against the land involved in the sale. Each sale will also be accompanied by contract executed in accordance with regulations obligating the purchaser to pay the accrued charges, namely, construction, operation, and maintenance, prior to the approval of the sale and to assume and pay the unassessed irrigation charges in accordance with regulations promulgated by the Secretary of the Interior.

**CROSS REFERENCES:** For additional regulations pertaining to the payment of fees and charges in connection with the sale of irrigable lands, see part 159 and §§ 134.4 and 152.21 of this chapter.

### **§ 160.3 Leases to include description of lands.**

It is important, also, for superintendents in leasing irrigable lands to present to the project engineer lists containing descriptions of the lands involved for his approval of the irrigable acreage and for checking as to whether or not such lands are in fact irrigable under existing works. Strict compliance with this section is required for the purpose of avoiding error.

### **§ 160.4 Prompt payment of irrigation charges by lessees.**

Superintendents will also see that irrigation charges are promptly paid by lessees, and where such charges are not so paid take appropriate and prompt action for their collection. Such unpaid charges are a lien against the land, and accordingly any failure on the part of the superintendents to collect same increases the obligation against the land.

## **PART 162—LEASES AND PERMITS**

### **Subpart A—General Provisions**

Sec.

- 162.100 What are the purposes of this part?
- 162.101 What key terms do I need to know?
- 162.102 What land, or interests in land, are subject to these regulations?
- 162.103 What types of land use agreements are covered by these regulations?
- 162.104 When is a lease needed to authorize possession of Indian Land?
- 162.105 Can tracts with different Indian landowners be unitized for leasing purposes?
- 162.106 What will BIA do if possession is taken without an approved lease or other proper authorization?
- 162.107 What are BIA's objectives in granting or approving leases?
- 162.108 What are BIA's responsibilities in administering and enforcing leases?
- 162.109 What laws, other than these regulations, will apply to leases granted or approved under this part?
- 162.110 Can these regulations be administered by tribes, on the Secretary's or on BIA's behalf?
- 162.111 Who owns the records associated with this part?
- 162.112 How must records associated with this part be preserved?
- 162.113 May decisions under this part be appealed?

### **Subpart B—Agricultural Leases**

#### **GENERAL PROVISIONS**

- 162.200 What types of leases are covered by this subpart?
- 162.201 Must agricultural land be managed in accordance with a tribe's agricultural resource management plan?
- 162.202 How will tribal laws be enforced on agricultural land?
- 162.203 When can the regulations in this subpart be superseded or modified by tribal laws and leasing policies?
- 162.204 Must notice of applicable tribal laws and leasing policies be provided?
- 162.205 Can individual Indian landowners exempt their agricultural land from certain tribal leasing policies?

#### **HOW TO OBTAIN A LEASE**

- 162.206 Can the terms of an agricultural lease be negotiated with the Indian landowners?
- 162.207 When can the Indian landowners grant an agricultural lease?
- 162.208 Who can represent the Indian landowners in negotiating or granting an agricultural lease?
- 162.209 When can BIA grant an agricultural lease on behalf of an Indian landowner?